

[25th July 1964]

(5) THE MADRAS (TRANSFERRED TERRITORY) INCORPORATED AND UNINCORPORATED DEVASWOMS (AMENDMENT) BILL, 1964.

* THE HON. SRI R. VENKATARAMAN : Mr. Speaker, Sir, I beg leave to introduce the Madras (Transferred Territory) Incorporated and Unincorporated Devaswoms (Amendment) Bill, 1964 and move—

‘ That the Bill be taken into consideration.’

Before the enactment of the Madras (Transferred Territory) Incorporated and Unincorporated Devaswoms Act, 1959, the incorporated and unincorporated devaswoms in the Kanyakumari District were governed by the provisions of the Travancore-Cochin Hindu Religious Institutions Act, 1950 (Travancore-Cochin Act XV of 1950). Section 57 of that Act was to the effect that the period of limitation applicable to suits by the Government of Travancore, namely, 50 years, shall be the period of limitation for suits by or on behalf of the incorporated and unincorporated Devaswoms. While enacting Madras Act 30 of 1959 the question of marking provision similar to section 57 of the Travancore-Cochin Act XV of 1950 was examined and it was considered not necessary to provide for such an enlarged period of limitation inasmuch as there was no corresponding provision in the Madras Hindu Religious and Charitable Endowments Act, 1959 (Madras Act 22 of 1959). The Kanyakumari Devaswom Board has since represented that the absence of special provision relating to limitation in Madras Act 30 of 1959 as in section 57 of Travancore-Cochin Act XV of 1950, has adversely affected the collection by the Devaswoms of Thiruppuvaram arrears pending for over 20 to 25 years and the recovery of possession of Devaswom poramboke lands. Section 109 of the Madras Hindu Religious and Charitable Endowments Act, 1959, provides that nothing contained in any law of limitation for the time being in force shall be deemed to vest in any person the property or funds of any religious institution which had not vested in such person or his predecessor-in-title before the 30th September 1951. It has been suggested that a provision similar to that contained in section 109 of Madras Act 22 of 1959 will be sufficient to protect the interests of the Devaswoms. Accordingly, it has been decided to incorporate a provision in Madras Act 30 of 1959, similar to that contained in section 109 of Madras Act 22 of 1959, with retrospective effect from the date on which Madras Act 30 of 1959 came into force, namely, the 1st April 1960. The present Bill provides for this.

Section 28 (a) of Madras Act 30 of 1959 enables the Devaswom Board to invest or deposit the funds of incorporated and unincorporated Devaswoms in a Scheduled Bank or in any State Treasury only. It is not open to the Board to invest or deposit the funds in the State Co-operative Bank or in any Central District Co-operative Bank. It has been decided to amend section 28 (a) to enable the Board to deposit or invest the funds in co-operative Banks also. A provision has been made in the bill to this effect.

25th July 1964] [Sri R. Venkataraman]

Sir, I have now briefly indicated the objects of this legislation. I request the House to accept the motion.

MR. SPEAKER : The question is—

‘That the Madras (Transferred Territory) Incorporated and Unincorporated Devaswoms (Amendment) Bill, 1964 be taken into consideration.’

The motion was put and carried and the Bill was taken into consideration.

Clauses 2 and 3 were put and carried.

Clause 1, the Enacting Formula and the Long Title were put and carried.

THE HON. SRI R. VENKATARAMAN : Sir, I move—

‘That the Madras (Transferred Territory) Incorporated and Unincorporated Devaswoms (Amendment) Bill, 1964 be passed.’

The motion was put and carried and the Bill was passed.

(6) THE MADRAS MATERNITY BENEFIT (REPEAL) BILL, 1964 (L.A. Bill No. 20 OF 1964).

* THE HON. SRI R. VENKATARAMAN : Mr. Speaker, Sir, I move—

‘That the Madras Maternity Benefit (Repeal) Bill, 1964 (L.A. Bill No. 20 of 1964) be taken into consideration.’

நாம் சென்னை ராஜ்ய 1934-ஆம் வருஷத்திய சட்டத்திலே சில மெட்ர்ரிடி பெனிபீட்டில் நம்முடைய ராஜ்யத்தில் இருக்கிறவர்களுக்குக் கொடுத்தோம். அதற்குப் பிறகு 1961-ம் வருஷத்திய 53-வது மத்திய சட்டத்தை, நாம் கொடுத்த சில சலுகைகளையும் சேர்த்து, அவர்கள் இயற்றிவிட்டார்கள். மத்திய சர்க்கார் சட்டத்திற்கும் ராஜ்ய சர்க்கார் சட்டத்திற்கும் ஏதாவது மாறுபாடு இருக்குமானால், மத்திய சர்க்காரினுடைய சட்டம் தான் அமுலாகும் என்றும் அதில் குறிப்பிடப்பட்டிருக்கிறது. மத்திய சர்க்கார் சட்டத்திலேயே நமக்குத் தேவையான எல்லா விஷயங்களும் கண்டிருக்கிற காரணத்தால் நம்முடைய ராஜ்ய சட்டத்தை நாம் இப்பொழுது ‘ரிபீல்’ செய்வதற்கு இந்த மசோதா கொண்டு வந்திருக்கிறோம். இதைச் சபை ஏற்றுக்கொள்ளவேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

MR. SPEAKER : Motion moved—

‘That the Madras Maternity Benefit (Repeal) Bill, 1964 (L.A. Bill No. 20 of 1964) be taken into consideration.’